

Senate Amendment 5410

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1 1 Amend Senate File 2312 as follows:
1 2 #1. By striking page 3, line 18, through page 9,
1 3 line 23, and inserting the following:
1 4 <Sec. _____. Section 85.70, Code 2003, is amended to
1 5 read as follows:
1 6 85.70 ADDITIONAL PAYMENT FOR ATTENDANCE.
1 7 An employee who has sustained an injury resulting
1 8 in permanent partial or permanent total disability,
1 9 for which compensation is payable under this chapter,
1 10 and who cannot return to gainful employment because of
1 11 such disability, shall upon application to and
1 12 approval by the workers' compensation commissioner be
1 13 entitled to a ~~twenty-dollar~~ one hundred dollar weekly
1 14 payment from the employer in addition to any other
1 15 benefit payments, during each full week in which the
1 16 employee is actively participating in a vocational
1 17 rehabilitation program recognized by the vocational
1 18 rehabilitation services division of the department of
1 19 education. The workers' compensation commissioner's
1 20 approval of such application for payment may be given
1 21 only after a careful evaluation of available facts,
1 22 and after consultation with the employer or the
1 23 employer's representative. Judicial review of the
1 24 decision of the workers' compensation commissioner may
1 25 be obtained in accordance with the terms of the Iowa
1 26 administrative procedure Act and in section 86.26.
1 27 Such additional benefit payment shall be paid for a
1 28 period not to exceed thirteen consecutive weeks except
1 29 that the workers' compensation commissioner may extend
1 30 the period of payment not to exceed an additional
1 31 thirteen weeks if the circumstances indicate that a
1 32 continuation of training will in fact accomplish
1 33 rehabilitation.>
1 34 #2. By renumbering as necessary.
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